

## **Probate Notes for January 22, 2010**

Probate notes are a recommendation as to the outcome of the petition. Unlike tentative rulings, they do not automatically become adopted as the order of the court. If you wish to continue a matter, please contact the civil division at (530) 406-6704. If you have questions, you may contact the probate examiner at (530) 406-6802 between the hours of 2 and 4 p.m.

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**CASE: LPS Conservatorship of Gregory Brown**  
**Case No. LPSQ 08-043**

It is recommended to approve the verified first account and report of conservator and to grant the petition for reappointment of conservator.

**CASE: LPS Conservatorship of Traci Brucell**  
**Case No. LPSQ 08-050**

If the second affidavit of examining physician is filed, it is recommended to approve the verified first account and report of conservator and to grant the petition for reappointment of conservator.

**CASE: LPS Conservatorship of Neil O'Flaherty**  
**Case No. CV PB 95-18047**

It is recommended to grant the petition for reappointment of co-conservators of the person. Petitioners are to provide the proposed order.

**CASE: Probate Conservatorship of Ann Jeannette Jordan Bueler**  
**Case No. CV PB 03-219**

On October 15, 2009, conservator filed a petition for leave to resign. The Court issued a probate note identifying numerous deficiencies. The hearing on the petition was continued to December 17, 2009. Counsel failed to attend the hearing and address the deficiencies. The Court issued a minute order directing counsel to appear on January 22, 2010, and to cure the deficiencies by January 14, 2010. The deficiencies have not been cured.

The conservator Charles R. Jansen is directed to appear and to be prepared to explain why the conservator has failed to comply with the Court's order. If he fails to appear or if the Court is not satisfied by the conservator's explanation and he cannot cure the deficiencies within a short period, it is recommended that the Court direct the conservatee's legal counsel Robert Nakken to investigate the actions of the conservator and to: (i) provide a written investigation report to the Court within 30 days, (ii) recommend to the Court whether the conservatorship should be continued or terminated, (iii) if it is recommended to continue the conservatorship, recommend to the Court a successor conservator; and (iv) petition for surcharge against the conservator if this is in the best interests of the conservatee. (Prob. Code, § 2620.2, subd. (c).)

**CASE:            In the Matter of Karl and Harriet Giguere Family Revocable Trust**  
**Case No. CV P2 09-177**

It is recommended to grant the petition for instructions regarding estate tax allocation and sale of trust assets. (Prob. Code, §§17200 & 20121.)